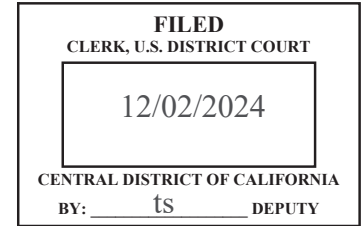




UNITED STATES DISTRICT COURT

for the

Central District of California



United States of America

v.

Melvin Alberto Rodas-Argueta,

Defendant(s)

Case No. 2:24-mj-07143-DUTY

**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 31, 2022 in the county of Los Angeles in the Central District of California, the defendant(s) violated:

Code Section

8 U.S.C. § 1326(a), (b)(2)

Offense Description

Alien Found in the United States
Following Deportation or Removal

This criminal complaint is based on these facts:

Please see attached affidavit.

☒ Continued on the attached sheet.

/s/

Complainant's signature

Zaira Bonilla, ICE/ERO

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: December 2, 2024

City and state: Los Angeles, California

Judge's signature

Hon. Stephanie Christensen, U.S. Magistrate Judge

Printed name and title

AUSA: Thomas Magaña (x1344)

AFFIDAVIT

I, Zaira Bonilla, being duly sworn, declare and state as follows:

I. INTRODUCTION

1. I am a Deportation Officer ("DO") with the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO), and have been so employed since February 2021. Prior to that I was employed by DHS, U.S Customs and Border Protection (CBP), Office of Field Operations (OFO), as a Customs and Border Protection Officer (CBPO) since August 2015. I am currently assigned as a DO at the Los Angeles Field Office. I have a total of nine years of training and experience in the enforcement of the Immigration and Naturalization laws of the United States. As part of my duties as a DO, which requires me to identify, locate, apprehend, and remove aliens who are in violation of the Immigration and Nationality Act ("INA"), I investigate criminal immigration violations of Title 8 of the United States Code, including illegal reentry into the United States, and who, being an alien is illegally or unlawfully in the United States.

II. PURPOSE OF AFFIDAVIT

2. This affidavit is made in support of a criminal complaint and arrest warrant against MELVIN ALBERTO RODAS-ARGUETA ("RODAS"), also known as "Melvin Rodas", "Melvin Argueta", "Melvin Alberto Argueta", "Melvin Rodas Argueta", "Melvin Argueta-Rodas", and "Melvin Alberto Rodas", charging him with violating Title 8, United States Code, Sections 1326(a) and

(b) (2) (Alien Found in the United States Following Deportation or Removal).

3. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not purport to set forth all my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

III. STATEMENT OF PROBABLE CAUSE

4. On July 31, 2022, the ICE Pacific Enforcement Response Center ("PERC") received an electronic notification based on biometric fingerprint information that RODAS had been arrested and was in the custody of the Los Angeles Police Department ("LAPD"), Van Nuys Station, in Los Angeles, California. On or about that same day, ICE lodged a DHS Immigration Detainer I-247(A) with LAPD. That detainer was not honored, and RODAS was subsequently released from LAPD custody.

5. On March 5, 2024, RODAS was convicted of being a sex offender on school grounds without permission in violation of California Penal Code 626.81(A), a misdemeanor, in California Superior Court Case Number 24VWCM00259-01, and sentenced to 180 days in custody.

6. On September 1, 2024, the LAPD arrested RODAS on an outstanding warrant in California Superior Court Case Number 23VWCF0008601 for felony vandalism in violation of California Penal Code 594(a)(1). RODAS is currently incarcerated at North Kern State Prison with an anticipated release date of November 28, 2024.

7. Based on my training and experience, I know that when an individual is fingerprinted by ICE, or the former INS, the individual is issued a Fingerprint Identification Number ("FIN"). The FIN is then automatically associated with the individual's Alien Number ("A-Number"). In this case, RODAS'S fingerprints were assigned the FIN number 1061967535, which was then linked to A-Number 095-737-631 based on prior fingerprints located in the DHS Alien File ("A-File") bearing the number A095-737-631.

8. On or about November 26, 2024, I reviewed the Immigration Alien Query (IAQ) electronic notification associated with RODAS'S July 31, 2022 arrest, and saw that the FIN associated with the IAQ was FIN 1061967535. I thus confirmed that the individual arrested on July 31, 2022, was RODAS, a previously deported Alien.

9. Based on my training and experience, I know that a DHS A-File is a file in which immigration records are maintained for aliens admitted to or found in the United States. I also know that a DHS A-File usually contains photographs, fingerprints, court records of convictions, and records relating to

deportation or other actions by INS or DHS with respect to the subject alien for whom the DHS A-file is maintained.

10. On November 26, 2024, I obtained and reviewed DHS A-File 095-737-631, which is maintained for the subject alien "RODAS-ARGUETA, MELVIN ALBERTO". The A-File contained the following documents and information:

a. Two executed Warrant of Removal/Deportation (form I-205), which showed that RODAS was officially removed or deported from the United States on September 26, 2007, and June 1, 2016. I know from my training and experience that a Warrant of Removal/Deportation is executed each time a subject alien is removed and excluded from the United States by ICE (and its predecessor agency, INS) and usually contains the subject's photograph, signature, and fingerprint. The executed warrants of Removal/Deportation in RODAS's DHS A-file each contained a photograph, a signature, and fingerprint.

b. A certified conviction record showing that RODAS was convicted on or about July 7, 2007, under the name "MELVIN ARGUETA RODAS" of Lewd Acts upon A Child in violation of California Penal Code Section 288(a), in the Superior Court of Los Angeles, Los Angeles, California, case number LA055092-01, for which RODAS was sentenced to three years imprisonment.

c. One Order of the Immigration Judge, dated August 30, 2007, ordering RODAS removed to El Salvador.

10. On or about November 26, 2024, I reviewed the printouts of the Interstate Identification Index ("III"). Based on my training and experience, I know that the III database tracks and records arrests and convictions of individuals according to an individual's State Identification number or Federal Bureau of Investigation number. The III printouts confirmed that RODAS had been convicted of the crimes reflected on the documents contained in RODA'S DHS A-File, described above.

11. On November 26, 2024, I reviewed the printouts of ICE computer indices on RODAS. Based on my training and experience, I know that ICE computer indices track and document each time an alien is removed or excluded from the United States by ICE, or deported by the former INS, or is granted permission to enter or re-enter the United States. The ICE computer indices confirmed that RODAS had been removed and deported on the dates indicated on the Warrants of Removal/Deportation found in RODAS'S DHS A-file and described above. The ICE computer indices further indicated that RODAS had not applied for, or obtained from the Attorney General or the Secretary of Homeland Security, permission to re-enter the United States legally since RODAS'S had last been deported.

12. Based on my review of RODAS'S DHS A-File, I determined that his A-File does not contain any record of his ever applying for, or receiving from the Attorney General or the Secretary of Homeland Security, permission to legally re-enter the United States. Based on my training and experience, I know that such documentation is required to re-enter the United States legally

after deportation, and that if such documentation existed, it would ordinarily be found in RODAS'S DHS A-File.

IV. CONCLUSION

13. For all the reasons described above, there is probable cause to believe that "MELVIN ALBERTO RODAS-ARGUETA" has violated Title 8, United States Code, Sections 1326(a) and (b)(2), Alien Found in the United States Following Deportation or Removal.

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on this 2nd day of December, 2024.

A handwritten signature in black ink, appearing to read 'Stephanie S. Christensen', is written over a horizontal line.

HONORABLE STEPHANIE S. CHRISTENSEN
UNITED STATES MAGISTRATE JUDGE